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10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA
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13 MICHAEL JACOBS,

14 Plaintiff,

15 v.

16 GEICO GENERAL INSURANCE COMPANY;
DOES I through X, inclusive; ROE
17 CORPORATIONS I through X, inclusive,

18 Defendants.
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CASE NO. 2:19-cv-1934

~~PROPOSED~~ STIPULATION AND ORDER
TO CONTINUE DISCOVERY DEADLINE
DATES (FIRST REQUEST)

20 Defendant GEICO GENERAL INSURANCE COMPANY, by and through its attorneys of
21 record of the law firm McCORMICK, BARSTOW, SHEPPARD, WAYTE & CARRUTH LLP, and
22 Plaintiff MICHAEL JACOBS, by and through his attorneys of record of the law firm VANNAH &
23 VANNAH, hereby file this Stipulation and Order to Continue Discovery Deadline Dates (First
24 Request), specifically seeking to extend the discovery deadline and dates related thereto by ninety (90)
25 days.

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PROPOSED STIPULATION AND ORDER
TO CONTINUE DISCOVERY DEADLINE
DATES (FIRST REQUEST)
CASE NO. 2:19-cv-1934

IT IS HEREBY STIPULATED AND AGREED between the parties to extend the discovery deadline of October 2, 2020; the interim status report deadline of August 3, 2020; the initial expert deadline of August 3, 2020; the rebuttal expert deadline of September 2, 2020; the dispositive motions deadline of November 2, 2020; and the joint pre-trial order deadline of December 2, 2020. In accordance with Local Rule 26-4, the parties state as follows:

I. DISCOVERY COMPLETED BY THE PARTIES:

The parties have served their initial disclosures. Defendant propounded written discovery upon Plaintiff, and Plaintiff has responded to the same. Plaintiff's deposition is currently set for August 5, 2020.

II. DISCOVERY WHICH REMAINS TO BE COMPLETED:

Defendant seeks to depose Plaintiff and a number of his treating providers. The parties also seek to depose experts once discovery efforts are no longer impeded by the various state-wide shelter-in-place orders issued in response to COVID-19.

III. REASON WHY DISCOVERY WAS NOT SATISFIED OR COMPLETED WITHIN THE TIME LIMIT SET BY THE DISCOVERY PLAN:

The parties have been working diligently throughout the discovery process. As indicated above, the parties had begun discovery efforts in terms of disclosures and written discovery. However, in light of the recent COVID-19 pandemic, the parties were unable to coordinate Plaintiff's deposition within a sufficient amount of time prior to the current initial expert disclosure deadline of August 3, 2020, to allow for Defendant to make a determination as to experts.

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PROPOSED STIPULATION AND ORDER
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IV. GOOD CAUSE EXISTS TO GRANT THE REQUESTED EXTENSION

The instant stipulation is submitted within the timeframe outlined by LR II 26-4. As stated above, there have been certain unforeseeable and unavoidable obstacles presented by the onset of the COVID-19 pandemic and both the federal and state governments declaring a state of emergency. With this uncertainty, a ninety (90) day extension of the discovery cut-off date and all deadlines related thereto is a reasonable amount of time to proceed.

V. THE CURRENT SCHEDULE FOR COMPLETION OF ALL REMAINING DISCOVERY:

The parties request that the pertinent discovery deadlines set forth in the Court's Scheduling Order be continued ninety (90) days, as follows:

A. ESTIMATE OF TIME REQUIRED FOR DISCOVERY: Pursuant to Local Rule 26-1(b)(1), and with the Court's approval, discovery shall be completed on or before December 31, 2020.

B. INTERIM STATUS REPORT: The parties shall file the interim status report required by LR 26-3 60 days before the discovery cut-off date established by this Court, as required by LR 26-3, or November 2, 2020.

C. EXPERT DISCLOSURES: Unless otherwise stated herein, and the Court so orders, the date for the parties to exchange initial expert witness disclosures shall be sixty (60) days prior to the discovery cut-off date, but not later than November 2, 2020, and rebuttal expert disclosures shall be thirty (30) days prior to the discovery cut-off date, but not later than December 1, 2020.

D. DISPOSITIVE MOTIONS: Unless otherwise stated herein, and the Court so orders, the date for filing dispositive motions shall be thirty (30) days after the discovery cut-off date, but not later than February 1, 2021.

E. PRETRIAL ORDER: Unless otherwise stated herein, and the Court so orders, the joint pretrial order shall be filed thirty (30) days after the date set for filing dispositive motions, but not later than March 3, 2021.

PROPOSED STIPULATION AND ORDER
TO CONTINUE DISCOVERY DEADLINE
DATES (FIRST REQUEST)
CASE NO. 2:19-cv-1934

DATED this 9th day of June, 2020

McCORMICK, BARSTOW, SHEPPARD,
WAYTE & CARRUTH LLP

By /s/ Wade M. Hansard
WADE M. HANSARD, ESQ.
Nevada Bar No. 8104
JONATHAN W. CARLSON, ESQ.
Nevada Bar No. 10536
Attorneys for Defendant

DATED this 9th day of June, 2020

VANNAH & VANNAH

By /s/ L. DiPaul Marrero II
ROBERT D. VANNAH, ESQ.
Nevada Bar No. 2503
L. DIPaul MARRERO II, ESQ.
Nevada Bar No. 12441
Attorneys for Plaintiff

IT IS SO ORDERED.

DATED this 9th day of June, 2020

By 
UNITED STATES MAGISTRATE JUDGE